

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

400I0212

## SENATE BILL NO. 25

Introduced by: The Committee on Health and Human Services at the request of the  
Department of Health

1 FOR AN ACT ENTITLED, An Act to revise the schedule of certain controlled substances.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 34-20B-12 be amended to read as follows:

4 34-20B-12. Any of the following substances, including their isomers, esters, ethers, salts, and  
5 salts of isomers, esters, and ethers, is included in Schedule I, unless specifically excepted,  
6 whenever the existence of such isomers, esters, ethers, and salts is possible within the specific  
7 chemical designation:

8 (1) Acetylmethadol;

9 (2) Allylprodine;

10 (3) Alphacetylmethadol, except levo-alphacetylmethadol, also known as  
11 levo-alpha-acetylmethadol, levomethadyl acetate or LAAM;

12 (4) Alphameprodine;

13 (5) Alphamethadol;

14 (6) Benzethidine;

15 (7) Betacetylmethadol;



- 1 (8) Betameprodine;<sub>i</sub>
- 2 (9) Betamethadol;<sub>i</sub>
- 3 (10) Betaprodine;<sub>i</sub>
- 4 (11) Clonitazene;<sub>i</sub>
- 5 (12) Dextromoramide;<sub>i</sub>
- 6 (13) Diampromide;<sub>i</sub>
- 7 (14) Diethylambutene;<sub>i</sub>
- 8 (15) Dimenoxadol;<sub>i</sub>
- 9 (16) Dimepheptanol;<sub>i</sub>
- 10 (17) Dimethylambutene;<sub>i</sub>
- 11 (18) Dioxaphetyl butyrate;<sub>i</sub>
- 12 (19) Dipipanone;<sub>i</sub>
- 13 (20) Ethylmethylthiambutene;<sub>i</sub>
- 14 (21) Etonitazene;<sub>i</sub>
- 15 (22) Etoxeridine;<sub>i</sub>
- 16 (23) Furethidine;<sub>i</sub>
- 17 (24) Hydroxypethidine;<sub>i</sub>
- 18 (25) Ketobemidone;<sub>i</sub>
- 19 (26) Levomoramide;<sub>i</sub>
- 20 (27) Levophenacymorphan;<sub>i</sub>
- 21 (28) Mecloqualone;<sub>i</sub>
- 22 (29) Morpheridine;<sub>i</sub>
- 23 (30) Noracymethadol;<sub>i</sub>
- 24 (31) Norlevorphanol;<sub>i</sub>

- 1       (32) Normethadone;
- 2       (33) Norpipanone;
- 3       (34) Phenadoxone;
- 4       (35) Phenampromide;
- 5       (36) Phenomorphan;
- 6       (37) Phenoperidine;
- 7       (38) Piritramide;
- 8       (39) Proheptazine;
- 9       (40) Properidine;
- 10      (41) Racemoramide;
- 11      (42) Trimeperidine;
- 12      (43) Methaqualone;
- 13      (44) N-benzylpiperazine.

14       Section 2. That § 34-20B-14 be amended to read as follows:

15       34-20B-14. Any material, compound, mixture, or preparation which contains any quantity  
16       of the following hallucinogenic substances, their salts, isomers, and salts of isomers, is included  
17       in Schedule I, unless specifically excepted, whenever the existence of such salts, isomers, and  
18       salts of isomers is possible within the specific chemical designation:

- 19      (1)    Bufotenine;
- 20      (2)    Diethyltryptamine;
- 21      (3)    Dimethyltryptamine;
- 22      (4)    5-methoxy-N, N-Dimethyltryptamine;
- 23      (5)    5-methoxy-3, 4-methylenedioxy amphetamine;
- 24      (6)    4-bromo-2, 5-dimethoxyamphetamine;

- 1 (7) 4-methoxyamphetamine;
- 2 (8) 4-methoxymethamphetamine;
- 3 (9) 4-methyl-2, 5-dimethoxyamphetamine;
- 4 (10) Hashish and hash oil;
- 5 (11) Ibogaine;
- 6 (12) Lysergic acid diethylamide;
- 7 (13) Mescaline;
- 8 (14) N-ethyl-3-piperidyl benzilate;
- 9 (15) N-methyl-3-piperidyl benzilate;
- 10 (16) 1-(-(2-thienyl)cyclohexyl) piperdine;
- 11 (17) Peyote, except that when used as a sacramental in services of the Native American
- 12 church in a natural state which is unaltered except for drying or curing and cutting or
- 13 slicing, it is hereby excepted.;
- 14 (18) Psilocybin;
- 15 (19) Psilocyn;
- 16 (20) Tetrahydrocannabinol, other than that which occurs in marijuana in its natural and
- 17 unaltered state;
- 18 (21) 3, 4, 5-trimethoxy amphetamine;
- 19 (22) 3, 4-methylenedioxy amphetamine;
- 20 (23) 3-methoxyamphetamine;
- 21 (24) 2, 5-dimethoxyamphetamine;
- 22 (25) 2-methoxyamphetamine;
- 23 (26) 2-methoxymethamphetamine;
- 24 (27) 3-methoxymethamphetamine;

- 1 (28) Phencyclidine;
- 2 (29) 3, 4-methylenedioxymethamphetamine (MDMA);
- 3 (30) 3, 4-methylenedioxy-N-ethylamphetamine;
- 4 (31) N-hydroxy-3, 4-methylenedioxyamphetamine;
- 5 (32) 4-methylaminorex (also known as 2-Amino-4-methyl/x-5-phenyl-2-oxazoline);
- 6 (33) 2,5 Dimethoxy-4-ethylamphetamine;
- 7 (34) N,N-Dimethylamphetamine;
- 8 (35) 1-(1-(2-thienyl)cyclohexyl)pyrrolidine;
- 9 (36) Aminorex;
- 10 (37) Cathinone;
- 11 (38) Methcathinone;
- 12 (39) 2,5-Dimethoxy-4-ethylamphetamine (DOET);
- 13 (40) Alpha-ethyltryptamine;
- 14 (41) 4-Bromo-2,5-dimethoxy phenethylamine;
- 15 (42) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7);
- 16 (43) 1-(3-trifluoromethylphenyl) piperazine (TFMPP).

17 Section 3. That § 34-20B-20 be amended to read as follows:

18 34-20B-20. Any material, compound, mixture, or preparation is included in Schedule III  
19 which contains any quantity of the following substances having a potential for abuse associated  
20 with a depressant effect on the central nervous system:

- 21 (1) Any substance which contains any quantity of a derivative of barbituric acid, or any  
22 salt of a derivative of barbituric acid, except those substances which are specifically  
23 listed in other schedules;
- 24 (2) Chloral betaine;

- 1 (3) Chloral hydrate;
- 2 (4) Chlorhexadol;
- 3 (5) Lysergic acid;
- 4 (6) Lysergic acid amide;
- 5 (7) Methyprylon;
- 6 (8) Sulfondiethylmethane;
- 7 (9) Sulfonethylmethane;
- 8 (10) Sulfonmethane;
- 9 (11) Amobarbital, pentobarbital, and secobarbital in suppository dosage form;
- 10 (12) Gamma hydroxy butyrate;
- 11 (13) Dronabinol;
- 12 (14) Buprenorphine.

13 Section 4. That § 34-20B-25 be amended to read as follows:

14 34-20B-25. The following are included in Schedule IV:

- 15 (1) Chlordiazepoxide, but not including librax (chlordiazepoxide hydrochloride and  
16 clindinium bromide) or menrium (chlordiazepoxide and water soluble esterified  
17 estrogens);
- 18 (2) Clonazepam;
- 19 (3) Clorazepate;
- 20 (4) Diazepam;
- 21 (4A) Flunitrazepam;
- 22 (5) Flurazepam;
- 23 (6) Mebutamate;
- 24 (7) Oxazepam;

- 1 (8) Prazepam;
- 2 (9) Lorazepam;
- 3 (10) Triazolam;
- 4 (11) Any substance which contains any quantity of a benzodiazepine, or salt of
- 5 benzodiazepine, except those substances which are specifically listed in other
- 6 schedules;
- 7 (12) ~~Buprenorphine~~;
- 8 (13) Cathine;
- 9 (14) Fencamfamine;
- 10 (15) Fenproporex;
- 11 (16) Mefenorex;
- 12 (17) Pyrovalerone;
- 13 (18) Propoxyphene;
- 14 (19) Pentazocine;
- 15 (20) Diethylpropion;
- 16 (21) Ethchlorvynol;
- 17 (22) Ethinamate;
- 18 (23) Fenfluramine;
- 19 (24) Mazindol;
- 20 (25) Mephobarbital;
- 21 (26) Methohexitol;
- 22 (27) Paraldehyde;
- 23 (28) Pemoline;
- 24 (29) Petrichloral;

- 1 (30) Phentermine;
- 2 (31) Barbitol;
- 3 (32) Phenobarbital;
- 4 (33) Meprobamate;
- 5 (34) Zolpidem;
- 6 (35) Butorphanol;
- 7 (36) Modafinil, including its salts, isomers, and salts of isomers;
- 8 (37) Sibutramine;
- 9 (38) Zaleplon;
- 10 (39) Dichloralphenazone.